IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

WP(C).No. 30504 of 2007(F)

PETITIONER:

MR.KURUVILA ABRAHAM, PROPRIETOR OF
M/S SHALLOM ENTERPRISES, 27/3039,
GIRINAGAR CLUB ROAD, KADAVANTHARA,
ERNAKULAM-20.

BY ADV. SRI.LATHA

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY TO THE GOVERNMENT OF KERALA,
SECRETARIATE, THIRUVANANTHAPURAM.

2. DEPUTY COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM.

3. INSPECTING ASST. COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM.

4. THE INTELLIGENCE OFFICER,
COMMERCIAL TAXES, ALUVA.

BY GOVT. PLEADER SRI. I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C). NO. 30504 OF 2007

Dated this the 15th day of October, 2007

J U D G M E N T

Against Ext.P4 order imposing penalty on the petitioner, petitioner has filed Ext.P5 revision and Ext.P7 application for stay, which are pending consideration of the 2nd respondent. It is submitted that during the pendency of these proceedings, revenue recovery has been initiated against the petitioner by Ext.P6 notice and hence, this writ petition.

2. Taking into account the pendency of Ext.P5 revision and Ext.P7 stay petition, I dispose of this writ petition directing the 2nd respondent to consider and pass orders on Ext.P7 application for stay filed by the petitioner, as expeditiously as possible, at any rate, within three weeks from the date of receipt of a copy of this judgment. In the meanwhile, further proceedings pursuant to Ext.P6 shall be kept in abeyance.

Petitioner shall produce a certified copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE

vps